

**CITY OF BALTIMORE
COUNCIL BILL 10-0605
(First Reader)**

Introduced by: Councilmember Cole
Introduced and read first time: October 4, 2010
Assigned to: Urban Affairs and Aging Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Upton –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Upton to extend the life of the Plan;
5 waiving certain content and procedural requirements; making the provisions of this
6 Ordinance severable; providing for the application of this Ordinance in conjunction with
7 certain other ordinances; and providing for a special effective date.

8 By authority of
9 Article 13 - Housing and Urban Renewal
10 Section 2-6
11 Baltimore City Code
12 (Edition 2000)

13 **Recitals**

14 The Urban Renewal Plan for Upton was originally approved by the Mayor and City Council
15 of Baltimore by Ordinance 70-794 and last amended by Ordinance 10-296.

16 An amendment to the Urban Renewal Plan for Upton is necessary to extend the provisions of
17 the Plan for an additional 5 years, pending further review and modifications to the Plan.

18 Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in
19 any approved renewal plan unless the change is approved in the same manner as that required for
20 the approval of a renewal plan.

21 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
22 following change in the Urban Renewal Plan for Upton is approved:

23 (1) In the Plan, amend C.2.c. to read as follows:

24 c. Duration of Provisions and Requirements:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 10-0605

1 The Upton Renewal Plan, as [it may be] amended from time to time, [shall be] is
2 in full force and effect for a period of [forty (40)] 45 years from the date of
3 original adoption of this Renewal Plan by ordinance of the Mayor and City
4 Council of Baltimore.

5 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Upton, as
6 amended by this Ordinance and identified as “Urban Renewal Plan, Upton, revised to include
7 Amendment __, dated October 4, 2010”, is approved. The Department of Planning shall file a
8 copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a
9 permanent public record, available for public inspection and information.

10 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
11 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
12 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
13 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
14 Ordinance is exempted from them.

15 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
16 application of this Ordinance to any person or circumstance is held invalid for any reason, the
17 invalidity does not affect any other provision or any other application of this Ordinance, and for
18 this purpose the provisions of this Ordinance are declared severable.

19 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
20 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
21 safety law or regulation, the applicable provisions shall be construed to give effect to each.
22 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
23 higher standard for the protection of the public health and safety prevails. If a provision of this
24 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
25 establishes a lower standard for the protection of the public health and safety, the provision of
26 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
27 conflict.

28 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
29 is enacted, retroactive to May 22, 2010.